TL902-2

Written submission by Liberation to the United Nations Human Rights Commission, under item 19 of the Provisional Agenda of its 46th Session January - March 1990.

On the human rights situation in East Timor

This organisation has been deeply troubled by human rights abuses in East Timor for many years and warmly welcomes the resolution adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its 41th Session [E/CN.4/Sub.2/1989/L.34] recommending that the Commission consider the human rights situation and fundamental freedoms in East Timor at its 46th Session.

We therefore consider it our duty to inform you of recent developments in East Timor, especially prior to and following the Mass celebrated by Pope John Paul II at Taci Tolu, near Dili on 12th October 1989. We shall first describe the latest abuses and then summarise reports of abuses occurring in the 12-month period before the Mass.

Developments since 12th October 1989

The Mass celebrated by Pope John Paul was marked by a demonstration by dozens of people who unfurled banners in favour of independence. Those involved were certainly aware of the risks, in view of the intense security precautions surrounding the Mass. The efforts by security forces to quell the demonstration were graphically reported in the world's media.

On 13th October, Bishop Belo, head of the Catholic Church of East Timor, [illegible] contacts in Australia by phone that 40 demonstrators had been arrested and were being tortured and beaten by the military to extract confessions that would implicate the Church. He said:

> *I am shocked that the military is extracting false confessions under torture. The boys were trying to express their discontent with the situation in East Timor. It is a lie that the Church is in any way involved in the demonstration.*

While these arrests were under way, 28 young people took refuge in the Bishop's residence and remained there for several weeks, the first time that the Church has given sanctuary to so many people. These developments confirmed reports by several foreign journalists who visited the territory on the occasion of the Pope's visit that East Timorese in the [illegible]

On 4th November, a demonstration took place outside Bishop Belo's residence in an attempt to intimidate him into forcing the sanctuary-seekers to leave. Others demonstrated in support of the Bishop. Video shots taken by the security forces at the Mass helped them to identify some of the pro-Belo demonstrators as people who had unfurled banners at the Mass.

On 5th November, a number of people were arrested, some are students of Sao Jose [illegible] High School in Dili. They were tortured with electricity and severely beaten. Shortly afterwards, the 28 people taking sanctuary with the Bishop left his residence; eight of them were immediately arrested.

On 16th November, a unit of soldiers armed with [illegible] reinforced by military police [illegible] Dili. [illegible] the Bishop's residence and the Jesuit school and made a forced entry to carry out a search of the premises. The

TL902-2

Written submission by Liberation to the United Nations Human Rights Commission, under Item 13 of the Provisional Agenda of its 46th Session January - March 1990.

On the human rights situation in East Timor

This organisation has been deeply troubled by human rights abuses in East Timor for many years and warmly welcomes the resolution adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its 41th Session [E/CN.4/Sub.2/1989/L.34] recommending that the Commission consider the human rights situation and fundamental freedoms in East Timor at its 46th Session.

We therefore consider it our duty to inform you of recent developments in East Timor, especially prior to and following the Mass celebrated by Pope John Paul II at Taci Tolu, near Dili on 12th October 1989. We shall first describe the latest abuses and then summarise reports of abuses occurring in the 12-month period before the Mass.

Developments since 12th October 1989

The Mass celebrated by Pope John Paul was marked by a demonstration by dozens of people who unfurled banners in favour of independence. Those involved were certainly aware of the risks, in view of the intense security precautions surrounding the Mass. The efforts by security forces to quell the demonstration were graphically reported in the world's media.

On 13th October, Bishop Belo, head of the Catholic Church of East Timor, told contacts in Australia by phone that 40 demonstrators had been arrested and were being tortured and beaten by the military to extract confessions that would implicate the Church. He said:

> *I am shocked that the military is extracting false confessions under torture. The boys were trying to express their discontent with the situation in East Timor. It is a lie that the Church is in any way involved in the demonstration.*

While these arrests were under way, 28 young people took refuge in the Bishop's residence and remained there for several weeks, the first time that the Church has given sanctuary to so many people. These developments confirmed reports by several foreign journalists who visited the territory on the occasion of the Pope's visit, that East Timor was "in the grip of fear".

On 4th November, a demonstration took place outside Bishop Belo's residence in an attempt to intimidate him into forcing the sanctuary-seekers to leave. Others demonstrated in support of the Bishop. Video shots taken by the security forces at the Mass helped them to identify some of the pro-Belo demonstrators as people who had unfurled banners at the Mass.

On 5th November, a number of people were arrested. Some are students of Sao Jose Catholic high school in Dili. They were tortured with electricity and severely beaten. Shortly afterwards, the 28 people taking sanctuary with the Bishop left his residence; eight of them were immediately arrested.

On 15th November, a unit of soldiers armed with bayonets, reinforced by military police and 4 platoons from Battalion 744, surrounded the Sao Jose school and made a forced entry to carry out a search of the premises. They

were apparently searching for four people connected with the school who had gone into hiding. When students tried to prevent this forced entry, the troops let off three volleys of gunfire. A student who was discovered in the school toilets was beaten so severely that he fainted. Several students fled from the school; one informed the Bishop that the school was under attack, whereupon he went to the scene to intervene.

It is not clear how many arrests followed this unlawful armed assault on the school but, fearing a further wave of arrests, as many as 30 people took refuge in the Bishop's residence. The Bishop subsequently told a Portuguese journal that these sanctuary-seekers had also left (*Expresso*, 6 January, 1990); the circumstances of their departure are not clear.

On 10th December, someone outside the Bishop's residence, believed to be a taxi-driver, was kidnapped.

According to information from a variety of sources, there were in mid-December 1989 at least twenty people under arrest in Dili. They are mostly students from Sao Jose school and probably also from the Fatumaca Catholic school, Baucau. The actual figure could be much higher; there are a number of places being used in Dili for custody and interrogation, to which local and outside observers do not have access. These include a guest-house, the headquarters of the district military command, the headquarters of Kopassus, the elite para-commando force, and at least three private residences.

Summing up, in the last quarter of 1989, in addition to those still in custody, many dozens of Timorese were taken into custody and tortured to extract information, as part of an operation to round up all those alleged to have been involved in the 12th October demonstration.

According to one source, eight of those now under arrest are due to be brought to trial in January 1990. Previous trials in East Timor have taken place under conditions which violate Indonesia's own Criminal Procedures Code; defendants have had no access to defence lawyers of their choice.

Apart from these 12th October-related detainees, there are five convicted political prisoners in Dili's Becora Prison and six in Cipinang Prison, Jakarta. This information was given to the Australian ambassador during a visit to Dili in October 1989. [See letter to ACFOA from Australian Foreign Ministry, Senator Gareth Evans, 23 November 1989.]

No information is available about political detainees being held in local army command headquarters throughout the country.

Abuses in the 12-month period before the Pope's visit

In late 1988, many reports were received of human rights violations in East Timor. There was a wave of arrests around the time of President Suharto's one-day visit to Dili on 1st November 1988. Although most were released after being held for short periods, their treatment under detention prompted Bishop Belo to complain in a Pastoral Letter on 5th December that many "were slapped, beaten and tortured" a method which, he said, had become routine in Timor. "We oppose this barbaric system and condemn the lying propaganda according to which human rights violations do not exist in East Timor."

On 16th February 1989, the Bishop wrote to the Papal Nuncio in Jakarta to inform him of the summary execution of two people by troops of Battalion 726

in Dilor-Lacluta on 31 October 1989, the beating of seven villagers by troops of the same battalion, as well as summary executions in Ossu (four persons), Lacluta (five persons), Viqueque (one person) and Gariwai-Baucau (two persons). Clandestine sources put the number executed in Gariwai-Baucau at twenty and gave details of four other executions in Zumulai, near the border with West Timor, at the end of 1988. This source also said that troops of Battalion 328 had killed twenty Timorese alleged to have been in contact with the armed resistance.

From April till June 1989 many arrests took place in Baucau, Dili and elsewhere. An East Timorese student studying in Bali was also arrested, as a result of which six others, fearing for their safety, sought asylum in the Japanese and Vatican embassies in Jakarta. Several lists of persons taken into custody from April to June 1989 were received, including a list of 25 detainees compiled by Bishop Belo. The detainees had been "tortured, hit, beaten, burnt with cigarettes and given electric shocks". The Bishop also wrote that "Colonel Bimo, chief of intelligence of Koopskam [the special security command for East Timor] has confirmed that these prisoners and detainees have been taken into custody in the interests of the Pope's security".

Mr H.J.C. Princen, chairman of the Indonesian Institute for the Defence of Human Rights, wrote three times to the commander-in-chief of the Indonesian armed forces in June 1989 about the many reported arrests and executions in East Timor, asking for an investigation. The letters were not answered, though Mr Princen was called in for questioning by the army.

On 6th October 1989, Mr Princen again wrote to the armed forces commander-in-chief, giving details of 26 executions since November 1988 and again calling for an investigation. This letter has also remained unanswered.

In view of mounting concern about conditions in East Timor, Mr Princen was accredited by the Regional Council on Human Rights in Asia to present a statement to the 44th Session of the UN Sub-Commission for the Prevention of Discrimination and Protection of Minorities; he was refused permission to leave Indonesia for this purpose.

Conclusions

The human rights situation in East Timor has further deteriorated since the Sub-Commission adopted its resolution last August. We therefore urge the Commission,

- to call on the Indonesian authorities to halt the abuses.

- to increase pressure on Indonesia to allow international human rights organisations to visit East Timor and send observers to any political trials held there.

- to undertake a special investigation of the situation in East Timor.

Finally, we urge the Commission to place East Timor on its agenda for annual consideration in order to keep the situation under constant review.

London, 16 January 1990